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GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

September 17, 2007

TO: Rebecca A. Humphries, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange and Sale of Dedicated State-owned Land
Gaylord Management Unit – Emmet County
Land Transaction Case #20060201

Applicant: County of Emmet, A Michigan Municipal Corporation, Petoskey, Michigan.

County Land Offered

In Exchange: 80.0 acres as described on "Attachment A"
"Parcel F": Emmet County, McKinley Township, T37N, R04W, Section 18

Appraised Value: \$264,000.00

State Land Desired

In Exchange: 93.66 acres as described on "Attachment A"
"Parcel A": Emmet County, McKinley Township, T37N, R04W, Section 22
"Parcel B": Emmet County, Bear Creek Township, T35N, R05W, Section 27
"Parcel C": Emmet County, City of Pellston, T37N, R04W, Section 34
"Parcel E": Emmet County, Bear Creek Township, T34N, R05W, Section 23

Appraised Value: \$264,000.00

State Land to be

Purchased: 21.75 acres as described on "Attachment A"
"Parcel D": Emmet County, Bear Creek Township, T34N, R05W, Section 23

Sale Price: \$27,720.00 (includes transaction costs)

Authority: Part 21 of Act 451, Public Acts of 1994, as amended.

Notice: This item will appear on the Department of Natural Resources' (Department)
October 1, 2007 Calendar, and is eligible for approval on October 8, 2007.
The transaction was also posted in local newspapers as required by legislation.

NATURAL RESOURCES COMMISSION

Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake

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Comments:

The desired parcels total 115.41 acres of State-owned lands. The parcels are all located outside of project boundaries and were reviewed under the Land Consolidation Strategy. Those parcels identified in map insets B, D, and E are designated as Class 2, meaning that they will be conveyed with deed restrictions ensuring the land will remain open for public outdoor recreation in an essentially natural and undeveloped state. The remaining two parcels are designated as Class 3, and will be conveyed without deed restrictions. The five parcels exhibit widely varying characteristics; from lowland to upland and from field to forest.

This transaction includes all the remaining parcels identified for disposal in the Department's Consolidation Strategy in Emmet County. All the parcels for disposal identified as either Class 2 or 3 are being conveyed to the County in response to the Consolidation Strategy process to offer lands first to units of government.

The offered private land is an 80-acre parcel located approximately two miles northwest of the Pellston Regional Airport, within a Gaylord Management Unit project boundary. The property exhibits a level to rolling topography and includes high quality northern hardwood forest cover. State-owned lands adjoin the western and southern boundaries of the property and conservancy-owned land adjoins on the north.

Department staff reviewed the desired lands as a part of the Land Consolidation Strategy and concur that they are surplus to Department needs. On October 26, 2006, the Land Exchange Review Committee recommended that the exchange be approved with the condition that the Department reserve a trail easement across parcel D to support the North Country National Scenic Trail, which currently crosses the property.

The desired State-owned lands identified as parcels A, B, and C were acquired by tax reversion in 1939, 1943, and 1945; while parcels D and E were purchased with the State Game Fund in 1950.

Mineral and Land Management Section staff of the Department's Forest, Mineral and Fire Management Division have determined that it is appropriate for the State to convey mineral rights to the desired State-owned land.

The Land Exchange Facilitation Fund (LEFF) Act allows the Department to sell rights in land and deposit the proceeds in a fund, which can then be used to acquire replacement property. Deposit of said proceeds will not cause the fund to exceed \$2,500,000.00, as stipulated by legislation. Proceeds from the sale will be deposited in the LEFF.

- Recommendations:
- (1) That the exchange and sale be approved under authority of Part 21, Act 451 of 1994, as amended, with the State reserving aboriginal antiquities and conveying mineral rights.
 - (2) That parcel D be sold with proceeds from the sale to be deposited into the LEFF, Game and Fish Subfund.
 - (3) That the State reserve an easement for trail purposes across parcel D.
 - (4) That parcels B, D, and E be conveyed with "Class 2" deed restrictions, ensuring that the land will remain open for public outdoor recreation, in an essentially natural and undeveloped state.
 - (5) That the North $\frac{1}{2}$ of North $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18 (part of offered parcel F) shall become part of the class of lands purchased with the State Game Fund under Act 325, PA 1931. The remainder of the offered parcel shall become part of the class of lands acquired by tax reversion.

David E. Freed, Chief
Land and Facilities

Douglas A. Reeves, Acting Chief
Wildlife

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management

Arminda S. Koch
Resource Management Deputy

Dennis R. Fedewa
Chief Deputy

I approve the staff recommendations.

Rebecca A. Humphries
Director

Date Approved

Attachment A
Legal Descriptions

Parcel A - Desired State-owned Land, to be Exchanged

Emmet County, McKinley Township, T37N, R4W, Section 22, that part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ lying West of the Michigan Department of Natural Resources Mackinaw to Petoskey Trail Corridor, formerly the Grand Rapids and Indiana Railroad Corridor. Containing 18.00 acres more or less.

Parcel B - Desired State-owned Land, to be Exchanged

Emmet County, Bear Creek Township, T35N, R5W, Section 27, Com. 33 ft. East of Southwest corner of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, th. South $89^{\circ}40'$ East to East $\frac{1}{8}$ line, North on the East $\frac{1}{8}$ line to R.R. Corridor, South along R.R. Corridor to a point North 1° East of beginning, South 1° West 48 ft. to beginning. Containing 11.66 acres more or less.

Parcel C - Desired State-owned Land, to be Exchanged

Emmet County, City of Pellston, T37N, R4W, Section 34, the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$. Containing 40 acres more or less.

Parcel D - Desired State-owned Land, to be Sold

Emmet County, Bear Creek Township, T34N, R5W, Section 23, the Easterly 21.75 acres of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, together with all easements of record. Containing 21.75 acres.

Parcel E - Desired State-owned Land, to be Exchanged

Emmet County, Bear Creek Township, T34N, R5W, Section 23, the NW1/4 SE1/4: EXCEPT that part of the following description lying within the NW 1/4 of SE 1/4 described as follows: Commencing at the South 1/4 Corner of Section 23, N 00°24'54" E along the North-South 1/4 line of said Section 1,348.77 ft to the S 1/8 line, thence N 88°14'31" E along the South East-West 1/8 line 950.72 ft to the Point of Beginning, thence N 00°27'54" E parallel to said North-South 1/4 line 660.0 ft, thence N 88°14'31" E parallel to said 1/8 line 660 ft, thence S 00°27'54" W parallel to said 1/4 line 660 ft to said 1/8 line, thence S 88°14'31" W along said 1/8 line 660.0 ft to the Point of Beginning; ALSO EXCEPT for the South 1020 feet of the West 950 feet. Containing 12.15 acres more or less.

And Also:

Emmet County, Bear Creek Township, T34N, R5W, Section 23, the NE 1/4 of the SE 1/4: EXCEPT for the Eastern 21.75 acres; also EXCEPT for that portion of the following parcel lying within the NE 1/4 of SE 1/4 described as follows: Commencing at the South 1/4 corner of Section 23, thence N 00°24'54" E along the North-South 1/4 line of said Section 1,348.77 ft to the South 1/8 line, thence N 88°14'31" E along the South East-West 1/8 line 950.72 ft for a POB, thence N 00°27'54" E parallel to said North-South 1/4 line 660.0 ft, thence N 88°14'31" E parallel to said 1/8 line 660.0 ft, thence S 00°27'54" W parallel to said 1/4 line 660.0 ft to said 1/8 line, thence S 88°14'31" W along said 1/8 line 660.0 ft to the POB. Together with all easements of record. Containing 13.85 acres more or less.

Parcel F - Offered County-owned Land, to be Exchanged

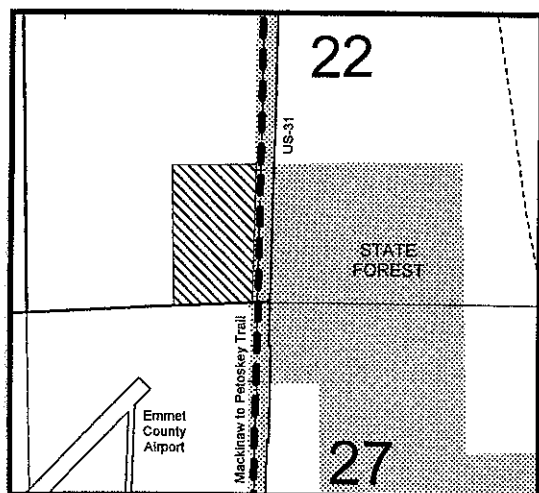
Emmet County, McKinley Township, T37N, R04W, Section 18, the East 1/2 of the SE 1/4. Containing 80.00 acres more or less.

STATE FOREST LAND EXCHANGE AND SALE

Gaylord Management Unit - Emmet County

Land Transaction Case #20060201

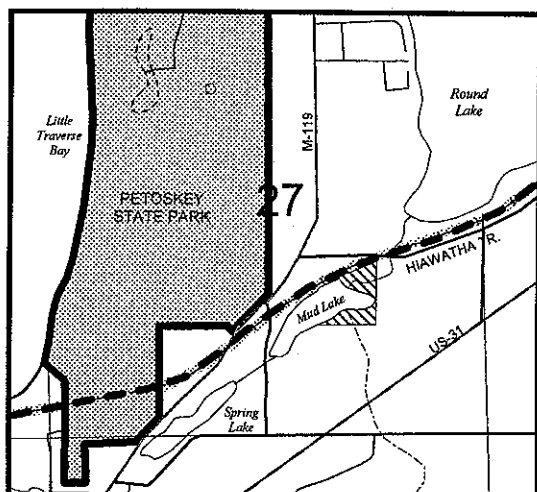
(Map 1 of 2)



A

Section 22, T37N, R04W
McKinley Township

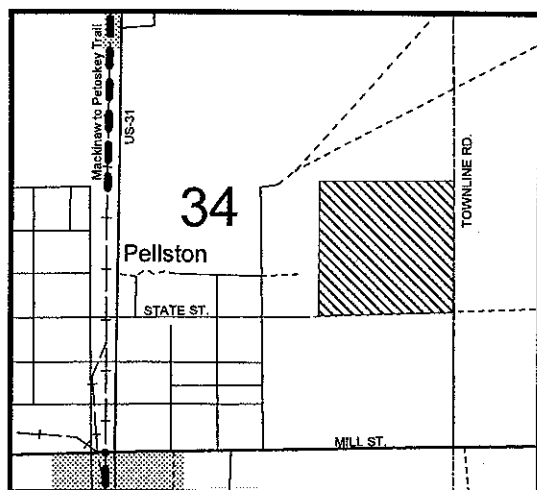
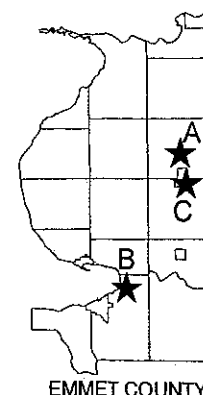
- Mackinaw to Petoskey Trail
- State Land Desired from DNR in Exchange (18.00 acres)
- State Land
- Private Land



B

Section 27, T35N, R05W
Bear Creek Township

- Mackinaw to Petoskey Trail
- State Land Desired from DNR in Exchange (11.66 acres)
- State Land
- Private Land



C

Section 34, T37N, R04W
City of Pellston

- Mackinaw to Petoskey Trail
- State Land Desired from DNR in Exchange (38.00 acres)
- State Land
- Private Land



SOURCE
MICHIGAN DEPARTMENT OF NATURAL RESOURCES
FOREST, MINERAL AND FIRE MANAGEMENT

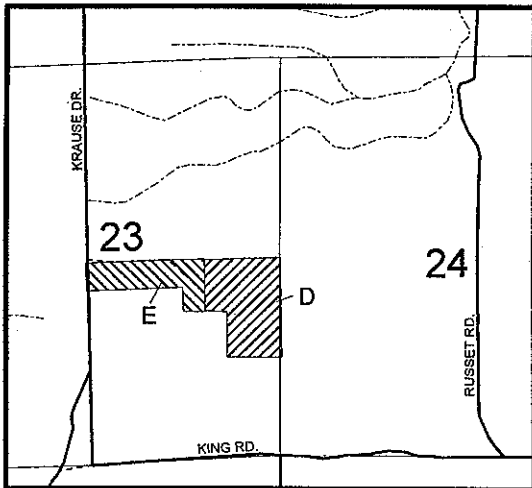
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STATE FOREST LAND EXCHANGE AND SALE

Gaylord Management Unit - Emmet County

Land Transaction Case #20060201

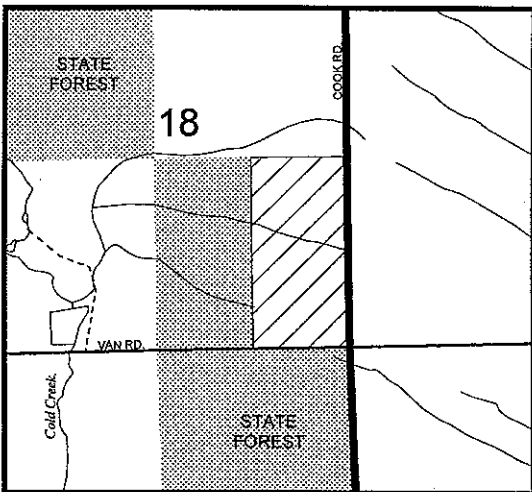
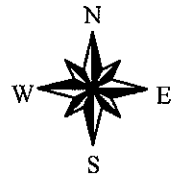
(Map 2 of 2)



D & E

Section 23, T34N, R05W
Bear Creek Township

- State Land to be Sold
(Parcel D - 35.60 acres \$27,720.00)
- State Land Desired from DNR in Exchange
(Parcel E - 12.15 acres)
- State Land
- Private Land



F

Section 18, T37N, R04W
McKinley Township

- State Forest Boundary
- County Land Offered to DNR in Exchange (80.00 acres)
- State Land
- Private Land

